

REMARKS

The application has been reviewed in light of the Office Action mailed January 25, 2006. At the time of the Office Action, claims 1-20 were pending in this application. Claims 1-20 were rejected.

Objection to the Title

The Title has been amended to more clearly indicate what is being claimed.

Rejection of the Claims under 35 U.S.C. § 112, First Paragraph

Claims 10 and 18 were rejected under 35 U.S.C. § 112, first paragraph, as based on a disclosure that was allegedly not enabling.

Claims 10 and 18 have been canceled.

Rejection of the Claims under 35 U.S.C. § 112, Second Paragraph

Claims 1, 3, 4 and 7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1, 3, 4 and 7 have been amended to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Objection to the Drawings

The drawings have been amended to more clearly show what is being claimed. Replacement sheets of drawing Figures 1-7 are attached herewith. Applicants respectfully submit that no new matter has been added to these replacement drawing figures.

Objection to Claims 1 and 7

Claims 1 and 7 have been amended to more clearly define what is being claimed.

Rejection of the Claims under 35 U.S.C. § 102(e)

Claims 1-4 and 6-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,777,396 to Kikuchi (“Kikuchi”).

Applicants respectfully traverse these rejections as being improper. If a prior art reference does not contain every element recited in the claim in as complete detail as is contained in the claim and arranged as recited in the claim, then using this reference to assert an anticipation rejection is improper. MPEP § 2131 provides:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814, F.2d 628, 631, USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as contained in the . . . claims.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim.

Kikuchi discloses using a jumper plug (300, 330) to act as a patch switch between different source voltages, a power supply and a halogen lamp load. The halogen lamp is either a 110 volt lamp or a 220 volt lamp. The power supply is either a 110 volt input or 220 volt input AC to DC power supply. Different protective fuses are also selected with the jumper plug (300, 330). *Kikuchi* requires that the jumper plug (300, 330) be moved from one receptor connector (100, 110) to another receptor connector (200, 220) for setting up for either an input voltage of 110 volts AC or 220 volts AC. There is no automatic selection process, the physical jumper plug (300, 330) must be place into either the receptor connector (100, 110) or the receptor connector (200, 220). The lamp is also wired to specific terminals of the jumper plug (300, 330)

depending upon the lamp's voltage rating, *e.g.*, 110 or 220 volts so that the wrong voltage cannot be applied to the lamp.

Contrary to the assertions made in the Office Action that all elements are disclosed in *Kikuchi*, a power distribution board that uses only one pin coded connector for each modular power supply is not disclosed in *Kikuchi*, nor does *Kikuchi* disclose both AC and DC power sources on the one pin coded connector, so the rejections are unsupported by *Kikuchi* and should be withdrawn.

For example, in the single pin coded connector there are certain electrically conductive pins used for connecting operating voltages (power) to information handling system equipment, and certain other electrically conductive pins used for coupling the modular power supply to either an alternating current (AC) or a direct current (DC) power source. The modular power supply determines which ones of the certain other electrically conductive pins of the pin coded connector it may use, *e.g.*, a DC input modular power supply will connect to those certain other electrically conductive pins having the DC power source voltage thereon, and an AC input modular power supply will connect to those certain other electrically conductive pins having the AC power source voltage thereon. Thus, the type modular power supply determines which one of power sources (AC or DC) will be connected to it.

Kikuchi discloses a jumper plug used for determining which input power source voltage is selected. In contrast, no jumper plug is required nor desired in what is being claimed in independent claims 1 and 13. Thus *Kikuchi* does not disclose a single pin coded connector having both AC and DC power source voltages therein that are selectably available by the type of modular power supply, depending upon its input voltage requirements. Also *Kikuchi* only discloses that one power source voltage may be connected at a time and the *Kikuchi* invention

merely prevents an accidental application of a wrong voltage to an electrical component, *e.g.*, lamp. In addition, *Kikuchi* only discloses AC power sources at two widely different voltages, *e.g.*, 110 VAC or 220 VAC, no DC power source is disclosed therein.

Claims 3, 4, 5, 7, 8, 9 and 12 depend from independent claim 1, and contain all limitations thereof. Claims 15, 16, 17, 19 and 20 dependent from independent Claim 13, and contain all limitations thereof. Therefore, for at least the same reasons that *Kikuchi* is an improper reference for rejecting claims 1 and 13, so are the rejections of Claims 3, 4, 5, 7, 8, 9, 12, 15, 16, 17, 19, and 20 unsupported and should be withdrawn. Claims 2, 6, 14 and 18 have been canceled.

Claims 1-4, 6, 7, 9, 12-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,397,929 to Hogarth et al. ("*Hogarth*").

Applicants respectfully traverse these rejections as being improper. If a prior art reference does not contain every element recited in the claim in as complete detail as is contained in the claim and arranged as recited in the claim, then using this reference to assert an anticipate rejection is improper pursuant to MPEP § 2131, as more completely discussed hereinabove.

Hogarth discloses an integrated power and signal outlet. Contrary to the assertions made in the Office Action that all elements are disclosed in *Hogarth*, a power distribution board that uses only one pin coded connector for each modular power supply is disclosed in *Hogarth*, nor does *Hogarth* disclose both AC and DC power sources on the one pin coded connector, so the rejections are unsupported by *Hogarth* and should be withdrawn. Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention arranged as in the claims.

Claims 3, 4, 7, 9 and 12 depend from independent claim 1, and contain all limitations thereof. Therefore, for at least the same reasons that *Hogarth* is an improper reference for rejecting Claim 1, so are the rejections of Claims 3, 4, 7, 9 and 12 unsupported and should be withdrawn. Claims 2, 6 and 14 have been canceled.

Rejection of Claim 5 under 35 U.S.C. § 103(a)

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hogarth* in view of Published United States Patent Application No. 2002/0044642 to Danner et al. ("*Danner*").

Applicants respectfully traverse this rejection and submit that the references relied upon do not teach or suggest, individually or in combination, what is being claimed in Claim 5 which depends from independent Claim 1.

As discussed hereinabove, *Hogarth* teaches an integrated power and signal outlet. *Danner* teaches a programmable telephone. The only possible connection, no pun intended, between these two references is a telephone cord. The Office Action states that "*Hogarth* teaches providing 12V DC power (wires 26) but fails to teach a voltage of about 48 volts DC. *Danner* et al. teaches that the standard telephone line voltage is 48 volts DC." Office Action at page 12. Applicants respectfully submit that *Danner* does not teach or suggest supplying 48 VDC *power* to a modular power supply as claimed in Claim 5 (*emphasis added*). *Danner* merely refers to a ring voltage of from 48 to 120 VDC from a telephone PABX (paragraph 62 of *Danner*). Since *Hogarth* does not teach a 48 volt power source for a modular power supply in information handling equipment, as stated in the Office Action, and *Danner* merely teaches a telephone instrument that happens to use a 48 VDC *low current* ring voltage (*emphasis added*), Applicants respectfully submit that no motivation exists, either expressly or inherently, to combine these references to produce what is being claimed in Claims 1 and 5.

"When patentability turns on the question of obviousness, the search for and analysis of the prior art includes evidence relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness." *In re Lee*, 61 U.S.P.Q.2d 1430, 1433 (Fed. Cir. 2002), citing *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52, 60 U.S.P.Q.2d 1001, 1008 (Fed. Cir. 2001) ("the central question is whether there is reason to combine [the] references," a question of fact drawing on the Graham factors). Finally, the Federal Circuit noted that:

"This factual question of motivation is material to patentability, and could not be resolved on subjective belief and unknown authority. It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher." *In re Lee*, 61 USPQ2d at 1434, quoting *W.L. Gore v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983).

Applicants respectfully submit that the obligation required for a *prima facie* determination of obviousness under the holding in *In re Lee* has not been met. None of the references relied upon teach or suggest the problem and/or solution of the problem as disclosed and claimed in the above titled application. Therefore, someone skilled in the art would not be prompted to combine these documents. "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination." *In re Napier*, 55 F.3d 610, 613, 34 USPQ 1782, 1784 (Fed. Cir. 1995), quoting *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990) (additional citations omitted).

The only motivation stated in the Office Action to combine the references relied upon was that "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a telephone line for supporting standard 48 VDC voltage

applied to the lines as taught by wire (28) of Hogarth.” Therefore, Applicants respectfully request, pursuant to MPEP § 2144.03 incorporated by reference herein for all purposes, that the “official notice” motivation to combine *Hogarth* with *Danner* in rejecting Claim 5 be substantiated with documentary evidence in the next Office Action if this rejection is to be maintained.

Applicants respectfully submit that no prior art reference documents have been disclosed nor asserted that would substantiate that one having ordinary skill in the art at the time of the invention would be motivated to modify the references relied upon to produce what is being claimed. Applicants respectfully submit that the references relied upon do not teach or suggest a single pin coded connector having both AC and DC power source voltages therein that are selectively available by the modular power supply, depending upon its input voltage requirements, as recited in independent Claim 1, and further having the DC power source voltage at approximately 48 volts as recited in Claim 5 which depends from independent Claim 1, and contains all limitations thereof.

Applicants respectfully request reconsideration in light of the remarks contained herein.

Applicants respectfully request withdrawal of all objections and rejections, and that there be an early notice of allowance.

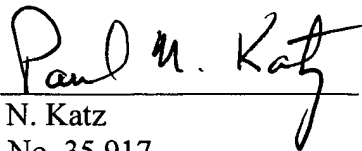
SUMMARY

In light of the above amendments and remarks Applicants respectfully submit that the application is in condition for allowance and early notice of the same is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone or facsimile.

Applicants believe that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for extensions of time, Applicants respectfully request that the Commissioner accept this as a Petition for Extension of Time, and directs that any and all fees due are charged to Baker Botts L.L.P. **Deposit Account No. 02-0383, (formerly Baker & Botts, L.L.P.) Order Number 016295.1308.**

Respectfully submitted,

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